

JUN-18-2004 FRI 02:56 PM WORKMAN NYDEGGER

FAX NO. 8013281707

P. 07/17

MAR-06-04 09:08AM FROM-Marchant & Gould 2

6123329081

T-138 P.005/016 F-568

RECEIVED  
CENTRAL FAX CENTER

JUN 18 2004

PATENT

S/N 09/881,167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Skogman	Examiner:	L. Al Nazer
Serial No.:	09/881,167	Group Art Unit:	2828
Filed:	June 14, 2001	Docket No.:	H16-01331-US
Title:	METHOD AND APPARATUS FOR PRODUCING VCSELS WITH DIELECTRIC MIRRORS AND SELF-ALIGNED GAIN GUIDE		
Customer No.:	000128	Confirmation No.:	6849

OFFICIAL

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703.872.9306 on February 19, 2004.

By: Victoria Hanson  
Name: Victoria Hanson

Amendment and Response

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed November 19, 2003, please amend the above-identified application as follows:

Amendments to the claims begin at page 2 of this paper.

Remarks begin at page 79 of this paper.

MAR-08-04 09:09AM FROM-Merchant &amp; Gould 2

6123329081

T-136 P.004/015 F-553

# Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
Tel. 612.332.5300  
Fax 612.332.9081  
www.merchant-  
gould.com

A Professional Corporation

**Fax Transmission** | February 19, 2004

TO: Commissioner for Patents  
Attn: Examiner L. Al. Nazer  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Anna M. Nelson

OUR REF: H16-01332-US  
TELEPHONE: 612.336.4701

Total pages, including cover letter: 12PTO FAX NUMBER 1-703.872.9306

If you do NOT receive all of the pages, please telephone us at 612.371.5394, or fax us at 612.332.9081.

Title of Document Transmitted: Amendment and Response  
Applicant: Skogman  
Serial No.: 09/881,167  
Filed: June 14, 2001  
Group Art Unit: 2828  
Our Ref. No.: H16-01332-US (13358.5US01)  
Confirmation No. 6849

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Anna M. Nelson  
Name: Anna M. Nelson  
Reg. No.: 48,935

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Victoria Hanson  
Signature

February 19, 2004  
Date

QEN031.DOT

RICK D. NYDEGGER  
 BRENT P. LORIMER  
 THOMAS R. VUKOSINICK  
 LARRY R. LAYCOCK  
 JONATHAN W. RICHARDS  
 DAVID R. WRIGHT  
 JOHN C. STRINHAM  
 JOHN M. GUYNN  
 CHARLES L. ROBERTS  
 DANA L. TANGIUN  
 ERIC L. MASCHOFF  
 CHARLES J. VIVYKA  
 ROBYN L. PHILLIPS  
 RICHARD C. GILMORE  
 STERLING A. BRENNAN  
 R. BURNS ISRAELSEN  
 DAVID R. TODD  
 GREGORY M. TAYLOR  
 DAVID B. DRILLENDACH  
 L. DAVID GRAYSON  
 ADRIAN J. LEE  
 FRASER D. ROY  
 CARL T. REED

# WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER  
 60 EAST SOUTH TEMPLE  
 SALT LAKE CITY, UTAH 84111  
 TELEPHONE: (801) 533-9800  
 FAX: (801) 328-1707  
 WEBSITE: HTTP://WWW.WNLAW.COM

RECEIVED  
 CENTRAL FAX CENTER

JUN 18 2004

OFFICIAL

PATENT APPLICATION  
 Docket No: 15436.435.5

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Skogman

Serial No.: 09/881,167

Conformation No.: 6849

Filed: June 14, 2001

For: METHOD AND APPARATUS FOR  
 PRODUCING VCSELS WITH  
 DIELECTRIC MIRRORS AND  
 SELF-ALIGNED GAIN GUIDE

Examiner: L. Al. Nazer

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

### TRANSMITTAL FOR RESUBMISSION OF AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Transmitted herewith is a Resubmission of and Amendment and Response to Office Action. Please note that this is a resubmittal of a response that was timely filed on February 19, 2004, and from information received by the undersigned from the United States Patent and Trademark Office, not yet documented as having being filed.

R. PARKINI FIFEMAN, JR.  
 PETER R. MALEN, JR.  
 J. REX SEARS, FILD.  
 WILLIAM R. RICHTER  
 ERIC M. KAMBRATH  
 ROBERT E. AYCOCK  
 JENS C. JENKINS  
 KEVIN W. STINKER  
 WILLIAM J. ATWAY  
 MICHAEL B. DODD  
 RYAN D. BENSON  
 SARA D. JONES  
 TIGER KELLER  
 JAMNA L. JENSEN  
 MATTHEW D. TODD  
 J. LAVAR OGDHAM  
 MICHAEL J. FROUSHAM  
 JOSEPH L. KRUPA  
 BRETT A. HANSEN  
 BRETT I. JOHNSON  
 MATTHEW A. BARLOW  
 WESLEY C. ROVANDER  
 ANDREW S. HANSEN  
 CHAD E. NYDEGGER  
 JOSEPH G. MA  
 CLINTON E. DUKE  
 DAVID J. LASRINK

Also enclosed are copies of the initial Fax Transmission letter and Auto-Reply Facsimile Transmission indicating receipt of the Amendment and Response to Office Action submitted on February 19, 2004.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17.

Dated this 17 day of June, 2004.

Respectfully submitted,



ERIC L. MASCHOFF  
Attorney for Applicant  
Registration No. 36,596  
Customer No. 022913

ELM:kjb  
WA15436435.5\KJB0000004264V001.doc

FILED VIA FACSIMILE

PATENT APPLICATION  
Docket: 15436.435.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:**

Skogman

Serial No.: 09/881,167

Conformation No.: 6849

Filed: June 14, 2001

For: METHOD AND APPARATUS FOR PRODUCING  
VCSELS WITH DIELECTRIC MIRRORS AND  
SELF-ALIGNED GAIN GUIDE

Examiner: L. Al. Nazer

)  
)  
)  
)  
) Art Unit  
) 2828  
)  
)  
)  
)  
)  
)  
)  
)  
)

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Sir:**

I hereby certify that this paper is being transmitted to the Patent and Trademark Office via facsimile at facsimile number (703) 872-9306 with a confirmation/courtesy copy to Examiner Nazer at (571) 273-1938 on the date shown below.

Dated this 18 of June, 2004.

Respectfully submitted,

E. E. Hall

**ERIC L. MASCHOFF**  
Attorney for Applicant  
Registration No. 36,596  
Customer No. 022913

Transmitted: Amendment and Response to Office Action  
Copy of Facsimile Transmittal Letter dated February 19, 2004  
Copy of Auto-Reply Facsimile

ELM:kjb  
W:\15436\435.5\KJD0000004264V001.DOC

P. 05/17

T-126 P.003/015 F-588

**Fax Sender at 6123329081**

2/18/2004 5:19:26 PM [Eastern Standard Time]  
12 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

[illegible]

**RECEIVED  
CENTRAL FAX CENTER****JUN 18 2004  
OFFICIAL**

**WORKMAN NYDEGGER**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE (801) 533-9800  
FAX (801) 328-1707

**TELECOPIER COVER SHEET**

June 18, 2004

Total Number of Pages  
(including cover letter): 17

Please deliver the transmitted facsimile pages to:

**MAIL STOP: AMENDMENT  
EXAMINER L. AL. NAZER**

Telecopier Phone: (703) 872-9306  
From: ERIC L. MASCHOFF, Reg. No. 36,596  
Comments: Please see attached.  
Serial No.: 09/881,167  
Docket No.: 15436.435.5

\*\*\*\*\*  
We are transmitting from a Sharp FO-750 or Sharp FO-6100 facsimile machine. If you do not receive all the pages or they are unreadable, please contact me as soon as possible at (801) 533-9800.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

CONFIRMATION COPY WITH ENCLOSURES SENT BY:  
U.S. MAIL / FEDERAL EXPRESS / OTHER

YES \_\_\_ NO \_\_\_

\*G:\DATA\WPDOCS2\JR\RD\DOCS\Fax\Fax Sheet.DOC